App. F. IX-4

Previous References

1930-31
(P.P.)

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Serial No. 1

Later References
P.P. 7-32-147

P. 18

General and Revenue Secretariat.

Serial No. 1

Part B for April 1931

SUBJECT.

Instructions about recording declarations of the Printers & Publishers of Newspapers.

In all future communications please quote
No. L.J1.1923/30-31.
Enc. One book;

Tel. Address.—"DEPCOM"
Post Box No. 34.

OFFICE OF THE DISTRICT MAGISTRATE,
BANGALORE DISTRICT.

Dated, Bangalore, the 6th March 1931.

CP 3/33

FROM
Moin-Ul-Vizarath
A.K. Syed Taj Peeran, Esq., B.A.,
District Magistrate,
Bangalore District.

To
N. Madhava Rao, Esq., B.A.,B.L.,
Chief *Secretary,*
to the Government of Mysore.
Bangalore.

7 MAR 1931

SIR,

Subject:—

I have the honour to forward herewith for the information of Government a copy of the monthly magazine Dasa Grantha Mala "ದಶಗ್ರಂಥಮಾಲಾ" published by Mr. G. Narasimha Das and received from the City Superintendent of Police, Bangalore. The Journal is being printed at the 'Girija Vilas Press' and published every month. The publisher has made the necessary declaration before the City Magistrate, Bangalore. No permission appears to be necessary as reported by the City Superintendent of Police, Bangalore as the Magazine is purely a series of short stories published monthly. The City Superintendent of Police, Bangalore however has been requested to direct the proprietor to submit copies of his publications regularly to the District Magistrate under Section 9 of the Printing Presses and Newspapers Regulation 1 of 1894.

I have the honour to be,

Sir,

Your most obedient servant,

District Magistrate,
Bangalore District.

Submit for perusal
by
9.3.31 CP (Chief Secy)

Rao 9/3

SS/-

9 MAR 1931

A/s to Spear
9/3/31

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Subd.

In this case the D.M. reports that a month magazine known as "Sooseela Kannada" is being published by Mr. G. Narasimha Das & that he has made the necessary declaration before the City Magte, Bangalore. He is of opinion that no permission is necessary to publish the magazine as it contains a series of short stories. The provisions of law which require declaration to be recorded before a Magte are contained in Secs 4, 5 & 8 of the Printing Press & Newspapers Regn no XXV of 1867 as amended by Regn of I of 1894.

Sec 4. makes it obligatory on a person keeping a P. Press to make a declaration before a Magte to that effect.

Sec 5. requires the printer & publisher of a magazine containing public news or comments on public

NOTE—Contn. Sheet.

WD 02553—G PB—50,000—8 7 30

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news to give declarations in the manner prescribed therein

Sec 6 deals with withdrawals of declarations ~~the~~ those already made under the preceding sections.

The prime requirement for a declaration under sec 5 is that the journal shd deal with public news and comments thereon. Such journals come under the Newspapers Regn no III of 1908 and under section 2 of that Regn they cannot be published without the previous written permission of the Govt. So before a declaration under sec 5 of the P.P & N Regn can be accepted by a magte, he shd satisfy himself that the permission contemplated in sec 2 of the N. Regn has been obtained by the declarer. If the pamphlet does not contain public news, there is no need for

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a declaration at all under this sectn. This does not appear to have been clearly understood by the Magts who are recording declarations under the Regn. Sometimes Publishers taking advantage of the practice now in vogue of recording declarations even with respect to prospects as to when started, ~~with~~ giving out that no public news will be dealt with, get their declns recorded with respect to the Journals and afterwards if they publish in the Journals any public news they can not be proceeded against under sec 15 of the P P & N P Regn & will become liable only to be expelled from the State under the N. P. Regn. Whereas if the Magts refuse to

NOTE—Contn. Sheet.

WD 0553—G.P.B.—50,000—8-7-30

to record declarations in such
cases. the publishers ~~take~~ can not
trespass into the realm of public
news without getting into the
clutches of Sec. 5 of the P.P. & N.P Regn
and also of the N.P. Regn of 1908.
The points of law involved
will have therefore to be made
clear to the subordinate
magistracy by means of
a circular to prevent the
current practice of recording
every declaration re a ~~book~~ pamphlet.
whether it deals with P. news or not
and make them accept declarations
only where the pamphlets deal
with Public news & the previous
sanction of Govt is produced
before them at the time of declaration.

Chief Secy)

Ray
14/3/37.

A draft circular to Magts
may be put up next 16/3/37

Ray 15/3

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Serial No.

Draft Submd the typed draft may perhaps be approd. Ray 23/3
by
19.3.31
CJOR
Chief Secy)

To Law Secy with compliments for favour of opinion as to whether the proposed circular, particularly the portion marked "A" would be in order.

Mer
26/3/31

Ray
26/3

300
Law

The provisions of this section do not refer to such matters or in any discretion to the Magte: But no Magte can knowingly allow a person to violate a Statutory provision, & specified made for the purpose. Nor can he be a conniving party to such violation. On these grounds the Magte can entertain decline to record the declaration, and I am of opinion that the proposed circular is in order & that it may be issued.

To effect, the circular brings to the notice of the [illegible] of the Legislature that the Statute requires him to see that it is not directly violated

Dy Secy
30/3

Chief Secy with compts

1931

Initials

NOTE—Contn. Sheet.

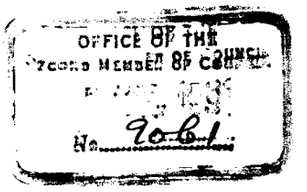
WD 02553—G PB—50,000—8 7 30

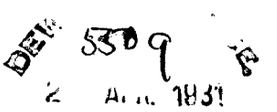
PP File No. 109 of 1930 General and Revenue Secretariat

Subd for approval

Second Member
Deccan ✓

2/4/31





Print these all matters
issue
Yes D

Mr
2-4-31

Issue - as proposed
Yes
2/4/31

To the D Magistrate of [illegible]
No 3748-55 d 11.4.31

[illegible] to him in the matter
of declaration in regard to the
printing & publishing of Periodicals,
containing public news or
comments on public news.

To the Asst Supdt
No 17033 d 11.4.31

B "No newspaper or other printed work, whether periodical or other, containing public news or comments upon public news, shall, without the written permission of the Government of His Highness the Maharaja of Mysore, be edited, printed or published within the territories of Mysore." "

may be, at "

And the last blank in this form of declaration, shall be filled up with a true and precise account of the premises where the printing or publication is conducted;

(2) As often as the place of printing or publication is changed, a new declaration shall be necessary;

(3) As often as the printer or the publisher who shall have made such declaration as is aforesaid shall leave the Territories of Mysore, a new declaration from a printer or publisher resident within the said territories shall be necessary. "

Proof for appl. G.S. 7/4/31

200 copies may be printed
12 unsigned.

Please send proof by as revised by G.S. 7/4.

CONFIDENTIAL.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

GENERAL AND REVENUE SECRETARIAT

No. / C. B. **Bangalore, Dated, 6th April 1931.**

Official Memorandum.

The attention of all Magistrates is invited to the marginally noted provisions of law in regard to the printing and publishing of periodicals containing public news or comments on public news. It is seen that in the case of every periodical in respect of which a declaration under Section 5 of Act XXV of 1867 is prescribed, the previous permission of Government to start the publication is also necessary under Section 2 of Regulation III of 1908. Some instances have come to notice wherein declarations have been recorded under Section 5 of Act XXV of 1867 in respect of periodicals for which no permission had been obtained under Section 2 of Regulation III of 1908.

1. Section 5 of the Printing Presses and Newspapers Act XXV of 1867, as amended by Regulation I of 1894:—

Please print here 'A'

."

2. Section 2 of the Mysore Newspapers Regulation III of 1908:—

Please print here portion labelled 'B'

."

With a view to ensure the due observance of all formalities prescribed by law, the Magistrates are requested to see in cases where declarations are proposed to be recorded before them under Section 5 of Act XXV of 1867, whether the necessary permission to publish the periodical has been obtained from Government in accordance with Section 2 of Regulation III of 1908; and to decline to record the declaration if such permission has not been taken.

It may also be noted that neither a declaration under Section 5 of Act XXV of 1867, nor permission under Section 2 of Regulation III of 1908, is necessary in respect of a periodical which does not contain public news or comments on public news.

By Order,
N. MADHAVA RAO,
Chief Secretary to Government.

To—The District Magistrates of Districts.
The Registrar, High Court.
The Secretary to Government, Law Department.

A "No printed periodical work, containing public news or comments on public news, shall be published in the territories of Mysore, except in conformity with the rules hereinafter laid down:

(1) The printer and publisher of every such periodical work shall appear before the Magistrate within whose jurisdiction such work shall be published, and shall make and subscribe, in duplicate, the following declaration:

"I, A.B., declare that I am the printer or publisher, or printer and publisher of the periodical work entitled and printed or published, or printed and published, as the case may be, at "

And the last blank in this form of declaration, shall be filled up with a true and precise account of the premises where the printing or publication is conducted;

(2) As often as the place of printing or publication is changed, a new declaration shall be necessary;

(3) As often as the printer or the publisher who shall have made such declaration as is aforesaid shall leave the Territories of Mysore, a new declaration from a printer or publisher resident within the said territories shall be necessary. "

No newspaper or other printed work, whether periodical or other, containing public news or comments upon public news, shall, without the written permission of the Government of His Highness the Maharaja of Mysore, be edited, printed or published within the territories of Mysore."

Revised and

CONFIDENTIAL.

M 3948-55/PP109-30-1A 11-4-31

OFFICIAL MEMORANDUM.

1. Section 5 of the Printing Presses and Newspapers Act XXV of 1867, as amended by Regulation I of 1894: —

A "

2. Section 2 of the Mysore Newspapers Regulation III of 1908: —

B "

The attention of all Magistrates is invited to the marginally noted provisions o law in regard to the printing and publishing of periodicals containing public news or comments on public news. It is seen that in the case of every periodical in respect of which a declaration under Section 5 of Act XXV of 1867 is prescribed, the previous permission of Government to start the publication is also necessary under Section 2 of Regulatio III of 1908. Some instances have come to notice wherein declarations have been recorded under Section 5 of Act.XXV of 1867 in respect of periodicals for which no permission had been obtained under Section of Regulation III of 1908.

With a view to ensure the due observance of all formalities prescribed by law, the Magistrates are requested to ~~examine~~ see in cases where declarations are proposed to be recorded before them under Section 5 of ACT XXV of 1867, whether the necessary permission to publish the periodical has been obtained from Government in accordance with Section 2 of Regulation III of 1908; an to decline to record the declaration if such permission has not been taken.

A

It may, ~~however~~ also, be noted that neither a declaration under Section 5 of ACT XXV of 1867, nor ~~any~~ permission under Section 2 of Regulation III of 1908, is necessary in

respect of a periodical which does not contain public news or comments on public news.

By Order,

Chief Secretary to Govt.

To

The District Magistrates of Districts.

Cpl

4033/P.P/47/16/4/31/1. Copy to Registrar High Court

Secret — 2. Copy to Law Secy.

CONFIDENTIAL.

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMI

No. 3948-55/P. P.109-30-1 Bangalore Dated, 11th April 1931.

Recording Declarations

Issues instructions to the Magistrates for———in regard to the printing and publishing of periodicals containing public news or comments on public news.

Official Memorandum.

The attention of all Magistrates is invited to the marginally noted provisions of law in regard to the printing and publishing of periodicals containing public news or comments on public news. It is seen that in the case of every periodical in respect of which a declaration under Section 5 of Act XXV of 1867 is prescribed, the previous permission of Government to start the publication is also necessary under Section 2 of Regulation III of 1908. Some instances have come to notice wherein declarations have been recorded under Section 5 of Act XXV of 1867 in respect of periodicals for which no permission had been obtained under Section 2 of Regulation III of 1908.

I. Section 5 of the Printing Presses and Newspapers Act XXV of 1867, as amended by Regulation I of 1894:--

"No printed periodical work, containing public news or comments on public news, shall be published in the territories of Mysore, except in conformity with the rules hereinafter laid down:--

(1) The printer and publisher of every such periodical work shall appear before the Magistrate within whose jurisdiction such work shall be published, and shall make and subscribe, in duplicate, the following declaration:

" I, A.B., declare that I am the printer or publisher, or printer and publisher of the poriodical work entitled and printed or published, or printed and published, *as the case may be,* at "

And the last blank in this form of declaration, shall be filled up with a true and precise account of the premises where the printing or publication is conducted;

(2) As often as the place of printing or publication is changed, a new declaration shall be necessary;

(3) As often as the printer or the publisher who shall have made such declaration as is aforesaid shall leave the Territories of Mysore a new declaration from a printer or publisher resident within the said territories shall be necessary".

11. Section 2 of the Mysore Newspapers Regulation III of 1908:—

"No newspaper or other printed work, whether periodical or other, containing public news or comments upon public news, shall, without the written permission of the Government of His Highness the Maharaja of Mysore, be edited, printed or published within the territories in Mysore."

With a view to ensure the due observance of all formalities prescribed by law, the Magistrates are requested to see in cases where declarations are proposed to be recorded before them under Section 5 of Act XXV of 1867, whether the necessary permission to publish the periodical has been obtained from Government in accordance with Section 2 of Regulation III of 1908; and to decline to record the declaration, if such permission has not been taken.

It may also be noted that neither a declaration under Section 5 of Act XXV of 1867, nor permission under Section 2 of Regulation III of 1908, is necessary in respect of a periodical which does not contain public news or comments on public news.

By Order,
N. MADHAVA RAO,
Chief Secretary to Government.

To—The District Magistrates of Districts.

No 4033 dated 16.4.31 Copy to the Registrar High Court with a C.L.
" to the Law Secretary & Govt.

CONFIDENTIAL.

Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS

No. 3948-55/P. P.109-30-1 Bangalore Dated, 11th April 1931.

Recording Declarations

Issues instructions to the Magistrates for———in regard to the printing and publishing of periodicals containing public news or comments on public news.

Official Memorandum.

The attention of all Magistrates is invited to the marginally noted provisions of law in regard to the printing and publishing of periodicals containing public news or comments on public news. It is seen that in the case of every periodical in respect of which a declaration under Section 5 of Act XXV of 1867 is prescribed, the previous permission of Government to start the publication is also necessary under Section 2 of Regulation III of 1908. Some instances have come to notice wherein declarations have been recorded under Section 5 of Act XXV of 1867 in respect of periodicals for which no permission had been obtained under Section 2 of Regulation III of 1908.

I. Section 5 of the Printing Presses and Newspapers Act XXV of 1867, as amended by Regulation I of 1894:—

"No printed periodical work, containing public news or comments on public news, shall be published in the territories of Mysore, except in conformity with the rules hereinafter laid down:—

(1) The printer and publisher of every such periodical work shall appear before the Magistrate within whose jurisdiction such work shall be published, and shall make and subscribe, in duplicate, the following declaration:·

" I, A.B., declare that I am the printer or publisher, or printer and publisher of the periodical work entitled and printed or published, or printed and published, *as the case may be,* at "

And the last blank in this form of declaration, shall be filled up with a true and precise account of the premises where the printing or publication is conducted;

(2) As often as the place of printing or publication is changed, a new declaration shall be necessary;

(3) As often as the printer or the publisher who shall have made such declaration as is aforesaid shall leave the Territories of Mysore a new declaration from a printer or publisher resident within the said territories shall be necessary".

II Section 2 of the Mysore Newspapers Regulation III of 1908:—

" No newspaper or other printed work, whether periodical or other, containing public news or comments upon public news, shall, without the written permission of the Government of His Highness the Maharaja of Mysore, be edited, printed or published within the territories in Mysore."

With a view to ensure the due observance of all formalities prescribed by law, the Magistrates are requested to see in cases where declarations are proposed to be recorded before them under Section 5 of Act XXV of 1867, whether the necessary permission to publish the periodical has been obtained from Government in accordance with Section 2 of Regulation III of 1908; and to decline to record the declaration, if such permission has not been taken.

It may also be noted that neither a declaration under Section 5 of Act XXV of 1867, nor permission under Section 2 of Regulation III of 1908, is necessary in respect of a periodical which does not contain public news or comments on public news.

By Order,
N. MADHAVA RAO,
Chief Secretary to Government.

To —The District Magistrates of Districts.